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December 8, 2006

**BY HAND DELIVERY**

Lawrence H. Norton, Esq.  
General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

Re: **MUR 5837**

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
2006 DEC 11 A 9:47

Dear Mr. Norton:

On behalf of the Missouri State Democratic Party and Rod Anderson, as treasurer (collectively, the "Party"), this letter is submitted in response to the complaint filed by the Missouri Republican Party against the Party (the "Complaint") and subsequently labeled MUR 5837. The Complaint should be dismissed immediately.

The Complaint concerns allegations against the Party about three of its mail pieces. These allegations are false. The mail pieces at issue were paid for and distributed by the Party in accordance with the regulations governing volunteer exempt mail, set forth in 11 C.F.R. §§ 100.87, 100.147, and 110.11(e). Specifically, the Party paid for these mail pieces using federal funds that did not include any funds transferred down from any national committee, in compliance with 11 C.F.R. §§ 100.147(g) and 100.87(g). Printed on each of the mailings was the correct disclaimer under 11 C.F.R. § 100.11(e) for volunteer exempt mail: "Paid for by Missouri State Democratic Party," in a printed box. Party volunteers performed the bundling, bagging, tagging, and loading of the mail pieces that was required for their distribution, in compliance with 11 C.F.R. §§ 100.147(a) and (d) and 100.87(a) and (d). The Party sent staff to document the work performed by the volunteers in distributing these mailings. A declaration submitted under penalty of perjury by one of the Party staff with direct knowledge of the events is attached as Exhibit A. This declaration will be supplemented next week by additional declarations from the Party's Executive Director and by a volunteer with direct knowledge of the events; both of

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Mr. Norton  
December 8, 2006  
Page 2

these individuals are away from the office and require additional time to submit their declarations.

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The Party strongly disagrees with the Complaint's assertion that because the mail pieces themselves show no evidence of volunteer involvement, they are automatically suspect. There is no requirement that volunteer exempt mail contain an additional disclaimer describing the volunteers who were involved and the duties they performed. Moreover, the Complaint's assertion that because the labels and postage were laser-printed on the mail pieces they could not qualify as volunteer exempt mail is false. The printing of volunteer exempt mail may be performed by a professional printer; there is no requirement that the Party refrain from printing mail pieces that are ready for distribution – by volunteers. The Party strongly rejects the notion that as a "cost of doing business," every volunteer exempt mailing should, on its face, trigger a Commission investigation – even more so in this case, where the Party has taken the time and expense to collect information to refute the baseless allegations against it. The Party respectfully requests that the Commission dismiss this Complaint.

Thank you for your attention to this matter.

Very truly yours,



Brian G. Svoboda  
Caroline P. Goodson  
Counsel to the Committee

BEFORE THE FEDERAL ELECTION COMMISSION

In re

MUR 5837

MISSOURI REPUBLICAN PARTY  
COMPLAINT AGAINST MISSOURI  
STATE DEMOCRATIC COMMITTEE,  
DATED OCTOBER 5, 2006

DECLARATION OF PETER KAVANAUGH

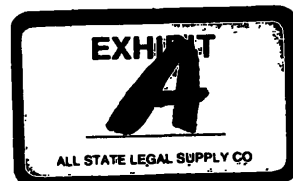
I, Peter Kavanaugh, state as follows:

1. My name is Peter Kavanaugh. I was employed by the Missouri State Democratic Committee (the "Party") during the 2006 election cycle, and helped oversee their volunteer exempt mail program as part of my duties as deputy director of the Party's coordinated campaign. I have reviewed the complaint in the above-referenced matter.
2. The three mailings at issue – "Claire Bio", "Teresa : Missouri Teacher and Parent" and "Jim Talent/Exxon" were paid for with federal funds that did not include any funds transferred down from any national party committee.
3. Each of the three mailings were distributed by volunteers for the Party.
4. The volunteers who distributed the "Claire Bio" mailing on September 25, 2006 performed the following functions on-site at the printer's shop: bundling, bagging, tagging, and loading the mail onto the USPS trucks. The volunteers who provided these services were: Caroline DeForest, Tim Barrett, Jeremy Kazzaz, Veronica Broeckelmann, and Pat Sonn.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on December 8, 2006.

 12/8/06  
Peter Kavanaugh



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2006 DEC 15 P 12:46

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December 15, 2006

**BY HAND DELIVERY**

Lawrence H. Norton, Esq.  
General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

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FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

2006 DEC 15 P 2:48

**Re: Supplement to Response to MUR 5837**

Dear Mr. Norton:

On behalf of the Missouri State Democratic Party and Rod Anderson, as treasurer (collectively, the "Party"), this letter is submitted as a supplement to our response, dated December 8, 2006, to the complaint filed by the Missouri Republican Party against the Party and subsequently labeled MUR 5837. As indicated in our December 8, 2006 letter, we are submitting two additional declarations from individuals who were out of the office last week. See Exhibits A and B.

Thank you for your attention to this matter.

Very truly yours,



Brian G. Svoboda  
Caroline P. Goodson  
Counsel to the Committee

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BEFORE THE FEDERAL ELECTION COMMISSION

*In re*

MUR 5837

MISSOURI REPUBLICAN PARTY  
COMPLAINT AGAINST MISSOURI  
STATE DEMOCRATIC COMMITTEE,  
DATED OCTOBER 5, 2006

DECLARATION OF COREY DILLON

I, Corey Dillon, state as follows:

1. My name is Corey Dillon. I am the Executive Director of the Missouri State Democratic Committee (the "Party"). As part of my duties during the 2006 election cycle, I oversaw the disbursement of funds for the Party's volunteer exempt mail program. I have reviewed the complaint in the above-referenced matter.
2. The Party paid for the three mailings at issue – "Claire Bio", "Teresa : Missouri Teacher and Parent," and "Jim Talent/Exxon" – using federal funds that did not include any funds transferred down from any national party committee.
3. These mailings were made from information contained in the Party's voter file, and not from commercial mailings lists.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on December 12, 2006.

Corey Dillon

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BEFORE THE FEDERAL ELECTION COMMISSION

*In re*

MUR 5837

MISSOURI REPUBLICAN PARTY  
COMPLAINT AGAINST MISSOURI  
STATE DEMOCRATIC COMMITTEE,  
DATED OCTOBER 5, 2006

**DECLARATION OF CAROLINE DeFOREST**

I, Caroline DeForest, state as follows:

1. My name is Caroline DeForest. I was a frequent volunteer for the Missouri State Democratic Committee (the "Party") during the 2006 election cycle, and participated in their volunteer exempt mail program as part of my volunteer responsibilities.

2. I was one of the volunteers who distributed the "Teresa: Missouri Teacher and Parent" and "Jim Talent/Exxon" mailings on or about October 2, 2006. Together with another volunteer, the Honorable Marvin Boisseau, I performed the following functions on-site at the printer's shop: bundling, bagging, tagging, and loading the mail onto the USPS trucks.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on December 11, 2006.

